

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

---

BILL H. DOMINGUEZ, on behalf of himself  
and all others similarly situated, :

Plaintiff, :

v. :

YAHOO!, INC. :

Defendant. :

C.A. No. 2:13-cv-01887

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**ORDER**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 2016, upon consideration of defendant Yahoo! Inc.'s Motion to Exclude Plaintiff's Expert Witnesses, and any response thereto, it is hereby ORDERED that said motion is GRANTED.

The proffered expert testimony of Saravana Krishnamurthy, Jeffrey Hansen, Randall Snyder and Gerald Christensen do not meet the requirements of Fed. R. Evid. 702 are hereby EXCLUDED.

BY THE COURT:

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Michael M. Baylson, J.

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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BILL H. DOMINGUEZ, on behalf of himself	:	
and all others similarly situated,	:	
	:	
Plaintiff,	:	
	:	
v.	:	C.A. No. 2:13-cv-01887
	:	
YAHOO!, INC.,	:	
	:	
Defendant	:	
	:	

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**OMNIBUS MOTION TO EXCLUDE PLAINTIFF'S EXPERT WITNESSES**

Pursuant to Fed. R. Evid. 702, defendant Yahoo! Inc. (“Yahoo”) hereby moves this Court to enter an order to exclude the opinions of plaintiff’s purported expert witnesses, Saravana Krishnamurthy, Gerald Christensen, Jeffrey Hansen, and Randall Snyder. In support of its Motion, Yahoo relies on the accompanying memorandum of law.

WHEREFORE, Defendant Yahoo! Inc. respectfully requests that this Court grant its motion and enter the attached proposed order.

Dated: October 14, 2016

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By: /s/ Brian T. Feeney  
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YAHOO! INC.

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

BILL H. DOMINGUEZ, on behalf of himself :  
and all others similarly situated, :  
: Plaintiff, :  
v. : C.A. No. 2:13-cv-01887  
: :  
YAHOO!, INC., :  
: Defendant :  
:

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**MEMORANDUM OF LAW IN SUPPORT OF YAHOO! INC.'S OMNIBUS MOTION TO  
EXCLUDE PLAINTIFF'S EXPERT OPINIONS**

PROPOSED TO BE FILED UNDER SEAL PURSUANT  
TO CONFIDENTIALITY PROTECTIVE ORDER (DKT. 31)  
AND SUPPLEMENTAL PROTECTIVE ORDER TO GOVERN  
THE PRODUCTION/INSPECTION OF SOURCE CODE (DKT. 75)

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# EXHIBIT 1-4

PROPOSED TO BE FILED UNDER SEAL PURSUANT  
TO CONFIDENTIALITY PROTECTIVE ORDER (DKT. 31)  
AND SUPPLEMENTAL PROTECTIVE ORDER TO GOVERN  
THE PRODUCTION/INSPECTION OF SOURCE CODE (DKT. 75)

# EXHIBIT 5

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14 HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY  
15 VIDEOTAPED DEPOSITION OF JEFFREY A. HANSEN  
16 San Diego, California  
17 Monday, July 18, 2016  
18 Volume I

22      Reported by:  
          MONICA M. CLINE  
23      RPR, CSR No. 8933  
24      Job No. 2347447  
25      PAGES 1 - 266

Page 1

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1	take because of your service in the Navy; isn't that	09:24:37 AM
2	right?	09:24:42 AM
3	A No. That one I was able to take because I	09:24:42 AM
4	was currently at the Regional Computer Forensics	09:24:46 AM
5	Laboratory at the time.	09:24:50 AM
6	Q All right. Well, we'll get to that.	09:24:51 AM
7	Was there any test given at the end of that	09:24:56 AM
8	course?	09:24:59 AM
9	A There was testing along the way, I know	09:25:04 AM
10	that.	09:25:06 AM
11	Q So there were tests given as part of that	09:25:06 AM
12	course?	09:25:09 AM
13	A Yes.	09:25:09 AM
14	Q All right. And what grade did you get?	09:25:10 AM
15	A I aced them.	09:25:15 AM
16	Q Did you obtain the certification for	09:25:16 AM
17	EnCase?	09:25:18 AM
18	A No.	09:25:19 AM
19	Q Why not?	09:25:20 AM
20	A Because it wasn't being offered.	09:25:21 AM
21	Q By who?	09:25:24 AM
22	MR. LESTER: By everybody, I would imagine.	09:25:27 AM
23	Form of the question.	09:25:29 AM
24	MR. GERSHMAN: Is there an objection?	09:25:30 AM
25	MR. LESTER: Yeah, object to the form.	09:25:32 AM

Page 29

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1	MR. GERSHMAN: That was a speaking	09:25:33 AM
2	objection.	09:25:34 AM
3	MR. LESTER: It's vague. Okay.	09:25:35 AM
4	THE WITNESS: Again, this wasn't the same	09:25:36 AM
5	course that was being -- well, it might have been	09:25:37 AM
6	the same content as what was being offered to the	09:25:40 AM
7	public, but this particular course was not being	09:25:43 AM
8	offered to the public. So it wasn't a certification	09:25:44 AM
9	course for me. In the public world they would have	09:25:48 AM
10	gotten a certification out of it providing it was	09:25:53 AM
11	the same syllabus.	09:25:55 AM
12	BY MR. GERSHMAN:	09:25:59 AM
13	Q So you elected to attend a course where you	09:25:59 AM
14	could -- where you were not eligible for a	09:26:01 AM
15	certification?	09:26:07 AM
16	A I didn't feel that I needed the	09:26:08 AM
17	certification itself. I wanted to know the	09:26:09 AM
18	material.	09:26:13 AM
19	Q You were more interested in the information	09:26:14 AM
20	than the certificate?	09:26:16 AM
21	A Yes.	09:26:18 AM
22	Q But other people out in the public who	09:26:19 AM
23	didn't have access to that nonpublic course, they	09:26:23 AM
24	could obtain theoretically a certification?	09:26:26 AM
25	A I believe that it is the same syllabus as	09:26:29 AM

Page 30

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1	what they have for the public.	09:26:32 AM
2	Q Did you ever sign up to take the	09:26:36 AM
3	certification test?	09:26:38 AM
4	A No.	09:26:40 AM
5	Q All right. How about Access Data Forensics	09:26:42 AM
6	Toolkit, how long was that course?	09:26:45 AM
7	A That was a few days as well.	09:26:47 AM
8	Q Was there testing?	09:26:48 AM
9	A Yes. The same applies as what was with the	09:26:50 AM
10	Encase.	09:26:54 AM
11	Q Okay. So to use your words, you aced all	09:26:54 AM
12	of the testing?	09:26:57 AM
13	A Yes.	09:26:58 AM
14	Q And did you take any certification tests?	09:26:58 AM
15	A No.	09:27:02 AM
16	Q Certification testing was available;	09:27:03 AM
17	correct?	09:27:07 AM
18	A I know in a civilian world Access Data	09:27:07 AM
19	provides a certification.	09:27:10 AM
20	Q Right.	09:27:12 AM
21	So at this time were you in the Navy?	09:27:13 AM
22	A No.	09:27:18 AM
23	Q So you were a civilian?	09:27:19 AM
24	A Yes.	09:27:20 AM
25	Q Okay. So had you wanted to, you could have	09:27:21 AM

Page 31

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY  
Jeffrey A. Hansen - 7/18/2016

1	signed up for that certification testing?	09:27:24 AM
2	A If I wanted to pay for it.	09:27:26 AM
3	Q Right.	09:27:27 AM
4	And the same thing for Encase; right?	09:27:28 AM
5	A Yes.	09:27:30 AM
6	Q Okay. You just didn't do it?	09:27:31 AM
7	A Correct.	09:27:32 AM
8	Q So since 2006 there's no other professional	09:27:50 AM
9	education?	09:27:55 AM
10	A No.	09:27:58 AM
11	Q I'm correct?	09:27:59 AM
12	A Correct.	09:28:00 AM
13	Q Are there any -- other than a driver's	09:28:05 AM
14	license, do you have any licenses? I'm using the	09:28:08 AM
15	term licenses as something different from a	09:28:12 AM
16	certification.	09:28:14 AM
17	A In the same context as a driver's license,	09:28:21 AM
18	I'm a licensed amateur radio operator.	09:28:25 AM
19	Q So let me -- that's a fair response. Let	09:28:27 AM
20	me be more specific.	09:28:30 AM
21	Do you have any professional licenses?	09:28:31 AM
22	A No.	09:28:35 AM
23	Q Okay. You have listed several professional	09:28:36 AM
24	certifications, so we can just focus in on those	09:28:41 AM
25	then.	09:28:44 AM

Page 32

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1	Any of these certifications that you have	09:28:46 AM
2	here on your CV, do they require continuing	09:28:48 AM
3	education?	09:28:51 AM
4	A Yes.	09:28:53 AM
5	Q But you haven't taken any continuing	09:28:54 AM
6	education since 2006?	09:28:57 AM
7	A These certifications were obtained before	09:28:59 AM
8	2006.	09:29:02 AM
9	Q Did they require any continuing education	09:29:03 AM
10	to maintain them, any of them?	09:29:05 AM
11	A Microsoft would encourage people to	09:29:11 AM
12	continue with the certifications, but it's not a	09:29:14 AM
13	requirement.	09:29:18 AM
14	Q Are all of your professional certifications	09:29:29 AM
15	identified here on your CV?	09:29:31 AM
16	A Yes.	09:29:34 AM
17	Q Why don't we just go through these one at a	09:29:45 AM
18	time.	09:29:49 AM
19	Do you remember when you earned the MCP 4.0	09:29:49 AM
20	cert?	09:29:54 AM
21	A I do have those certifications on that CD	09:29:54 AM
22	that I gave you, but I'm going off the top of my	09:29:58 AM
23	head. All of these certifications were obtained	09:30:00 AM
24	between 2000 and 2002.	09:30:03 AM
25	Q Did you take an MCP exam?	09:30:16 AM

Page 33

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Jeffrey A. Hansen - 7/18/2016

1	customizing and operating personal computers; is	09:35:12 AM
2	that right?	09:35:15 AM
3	A That would be a good description of it.	09:35:16 AM
4	Q And the A+ certification, it only lasts for	09:35:21 AM
5	three years from the date of the exam; isn't that	09:35:23 AM
6	right?	09:35:26 AM
7	A Again, Comp TIA would want people to	09:35:26 AM
8	keep -- you know, to continue to take new	09:35:30 AM
9	certification exams.	09:35:32 AM
10	Q So that's correct, it only lasts for three	09:35:33 AM
11	years?	09:35:37 AM
12	A Yes, I believe.	09:35:38 AM
13	Q To keep it valid you need to earn 20	09:35:40 AM
14	continuing education units over a three-year period	09:35:43 AM
15	and submit it to Comp TIA; correct?	09:35:46 AM
16	A Well, I don't have it in front of me, so --	09:35:52 AM
17	Q You don't know?	09:35:54 AM
18	A What's that?	09:35:55 AM
19	Q You just don't know?	09:35:55 AM
20	A Yeah, I don't know.	09:35:56 AM
21	Q In any event, you earned that sometime	09:35:58 AM
22	between 2000 and 2002?	09:36:01 AM
23	A That's correct.	09:36:02 AM
24	Q And you did not take the continuing	09:36:04 AM
25	education to keep it current?	09:36:06 AM

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY  
Jeffrey A. Hansen - 7/18/2016

1	A	I didn't take any other continuing ed on	09:36:10 AM
2		it, no.	09:36:13 AM
3	Q	So you did not keep it current?	09:36:14 AM
4	A	Again, I'm taking your word on it if there	09:36:16 AM
5		is an expiration on it.	09:36:18 AM
6	Q	You don't know if your certification has	09:36:19 AM
7		expired?	09:36:21 AM
8	A	That's been 16 years ago. I know in the	09:36:24 AM
9		industry if you have an A+ certification, employers	09:36:27 AM
10		typically don't expect somebody to go retake it,	09:36:30 AM
11		especially if they've been working in the field.	09:36:33 AM
12		Again, those certifications are what would be	09:36:35 AM
13		expected to get a job in the industry. If somebody	09:36:37 AM
14		has been working in the field, it is pretty much a	09:36:41 AM
15		waste of time to go back and keep up on their	09:36:45 AM
16		certifications, because they're already in the	09:36:48 AM
17		industry.	09:36:50 AM
18	Q	So you don't know if it is expired?	09:36:51 AM
19	A	I don't know if it is.	09:36:53 AM
20	Q	Next in the list it says Network+, that's	09:36:59 AM
21		also from Comp TIA; right?	09:37:02 AM
22	A	Yes.	09:37:04 AM
23	Q	It is an entry level certification for	09:37:05 AM
24		network technicians; correct?	09:37:08 AM
25	A	That would be fair, yes.	09:37:12 AM

Page 39

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1	Q	You need nine months networking experience	09:37:15 AM
2		before sitting for the exam?	09:37:17 AM
3	A	Yes. It represents somebody with at least	09:37:21 AM
4		nine months of experience.	09:37:24 AM
5	Q	Like the A+, you need to take continuing	09:37:35 AM
6		education to renew it after three years; right?	09:37:37 AM
7	A	I'm not sure on that one.	09:37:41 AM
8	Q	So sitting here you don't know if that's	09:37:43 AM
9		expired?	09:37:45 AM
10	A	Correct. And the same applies as before,	09:37:47 AM
11		there's no need for me to renew it. I was already	09:37:49 AM
12		in the industry.	09:37:52 AM
13	Q	MCP 2000, this certification relates to	09:37:54 AM
14		Microsoft 2000 products; correct?	09:38:03 AM
15	A	Yes.	09:38:05 AM
16	Q	And that is a retired certification to use	09:38:06 AM
17		Microsoft language; correct? Or a Legacy	09:38:10 AM
18		certification?	09:38:13 AM
19	A	Yes.	09:38:15 AM
20	Q	Microsoft no longer supports Microsoft 2000	09:38:16 AM
21		products; correct?	09:38:19 AM
22	A	In general, no.	09:38:23 AM
23	Q	There is no way to renew this certification	09:38:30 AM
24		because it's been retired by Microsoft; correct?	09:38:31 AM
25	A	Microsoft still offers MCP certifications.	09:38:36 AM

Page 40

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1	Q	Are you retracting your testimony about you	09:44:20 AM
2		have seen it?	09:44:23 AM
3	A	I have seen Microsoft being used, 2003	09:44:24 AM
4		Server.	09:44:28 AM
5	Q	So that's the it?	09:44:29 AM
6	A	Yes.	09:44:30 AM
7	Q	Nothing more?	09:44:31 AM
8	A	No.	09:44:32 AM
9	Q	What is MCSE?	09:44:42 AM
10	A	Microsoft Certified Systems Engineer.	09:44:44 AM
11	Q	And Microsoft offers a recertification for	09:44:55 AM
12		that; correct?	09:44:57 AM
13	A	Yes, they do.	09:45:00 AM
14	Q	And to do that you have to pass an exam?	09:45:02 AM
15	A	Yes.	09:45:05 AM
16	Q	And have you done that?	09:45:06 AM
17	A	Actually, that would be, I believe, seven	09:45:07 AM
18		exams.	09:45:10 AM
19	Q	But to recertify, you have to pass an exam;	09:45:12 AM
20		right?	09:45:14 AM
21	A	Yes.	09:45:16 AM
22	Q	Have you done that?	09:45:16 AM
23	A	No.	09:45:17 AM
24	Q	So MCSE you have not recertified; correct?	09:45:18 AM
25	A	Correct. I haven't obtained the more	09:45:23 AM

Page 46

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Jeffrey A. Hansen - 7/18/2016

1	correct?	09:46:28 AM
2	A Yeah, I believe it was representative of	09:46:28 AM
3	six months of experience.	09:46:31 AM
4	Q And did you -- on the disk did you produce	09:46:33 AM
5	your certification number from that certification?	09:46:37 AM
6	A Yes.	09:46:39 AM
7	Q I-Net+ is also issued by Comp TIA; right?	09:46:44 AM
8	A Yes.	09:46:49 AM
9	Q And requires six months of IT experience?	09:46:54 AM
10	A Yes.	09:46:58 AM
11	Q It's a low level, entry level certificate?	09:47:01 AM
12	A Again, as representative of somebody with	09:47:04 AM
13	about six months of experience.	09:47:06 AM
14	Q And that certification was retired in 2007;	09:47:09 AM
15	correct?	09:47:14 AM
16	A I'm not sure. I didn't follow that.	09:47:14 AM
17	Q So you're not -- are you aware of whether	09:47:18 AM
18	that one is retired?	09:47:20 AM
19	A Again, I am not -- I'm not aware of whether	09:47:23 AM
20	it is or not.	09:47:25 AM
21	Q Security+ is also given by Comp TIA; right?	09:47:30 AM
22	A Yes.	09:47:34 AM
23	Q Are you aware of whether that is supposed	09:47:47 AM
24	to be renewed every three years?	09:47:48 AM
25	A Mine does not have to be. Mine does not	09:47:51 AM

Page 48

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Jeffrey A. Hansen - 7/18/2016

1	expire.	09:47:53 AM
2	Q Why do you say it does not have to be	09:47:54 AM
3	renewed every three years?	09:47:56 AM
4	A That particular one I followed up and	09:47:57 AM
5	checked on it. And because I took my exam when I	09:47:59 AM
6	did, mine does not retire. I took my exam before	09:48:04 AM
7	Security+ was offered to the public. I was one of	09:48:11 AM
8	the people to give feedback for Comp TIA in	09:48:13 AM
9	developing that exam.	09:48:17 AM
10	Q So that would have been sometime between	09:48:20 AM
11	2000 and 2002?	09:48:22 AM
12	A Yes.	09:48:24 AM
13	Q Okay. At that time when they issued the	09:48:24 AM
14	certifications, it is your understanding that if you	09:48:28 AM
15	got it at that time you didn't ever have to renew	09:48:30 AM
16	it?	09:48:32 AM
17	A In my case I know that to be the case.	09:48:34 AM
18	Q Right.	09:48:37 AM
19	How about now, someone went out -- if some	09:48:38 AM
20	civilian went out there and got the certification,	09:48:41 AM
21	they're subject to the renewal requirement?	09:48:43 AM
22	A Yes.	09:48:45 AM
23	MR. LESTER: Calls for -- go ahead.	09:48:46 AM
24	THE WITNESS: Yeah, that one I happen to	09:48:47 AM
25	know.	09:48:50 AM

Page 49

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Jeffrey A. Hansen - 7/18/2016

1	///	09:48:50 AM
2	BY MR. GERSHMAN:	09:48:50 AM
3	Q CIW Security Analyst, who issues that?	09:48:50 AM
4	A CIW, I believe that was the name.	09:48:56 AM
5	Q And that was retired in 2011; correct?	09:49:01 AM
6	A I'm not sure.	09:49:05 AM
7	Q Do you know sitting here whether that is	09:49:06 AM
8	current or retired?	09:49:09 AM
9	A No, I don't know. And that one I don't	09:49:10 AM
10	have produced because I wasn't -- I went to their	09:49:14 AM
11	website, I wasn't able to obtain a copy of it. It	09:49:17 AM
12	seems like their site had to be redone or something.	09:49:23 AM
13	Q Was the site active or was it just blank?	09:49:29 AM
14	A No, it was active. They said that they had	09:49:32 AM
15	to -- their site had gone down and people had to	09:49:34 AM
16	reestablish their accounts or something to that	09:49:40 AM
17	effect. Either way I wasn't able to log in.	09:49:42 AM
18	Q When was that?	09:49:45 AM
19	A A few weeks ago.	09:49:47 AM
20	Q How many times did you check?	09:49:50 AM
21	A How many times did I check when?	09:50:00 AM
22	Q You mentioned a few weeks ago you went to	09:50:02 AM
23	the website.	09:50:05 AM
24	A Yes.	09:50:05 AM
25	Q Is it just the one time? That's what I'm	09:50:06 AM

Page 50

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Jeffrey A. Hansen - 7/18/2016

1	asking.	09:50:08 AM
2	A In recent history, yes.	09:50:09 AM
3	Q Okay. As far as you can remember?	09:50:11 AM
4	A Yes, as far as I can remember. Naturally I	09:50:14 AM
5	went there long ago.	09:50:17 AM
6	Q You're a certified teacher?	09:50:40 AM
7	A I was.	09:50:42 AM
8	Q When did you get that certification?	09:50:44 AM
9	A I believe that was around the year 2000.	09:50:49 AM
10	Q What was the certification for?	09:50:53 AM
11	A I think I have it spelled out here. For	09:50:56 AM
12	instructor both for the state of California and the	09:50:59 AM
13	state of Oregon there's two separate ones, that was	09:51:01 AM
14	through the Bureau for Private Postsecondary and	09:51:04 AM
15	Oregon's equivalent of that and that was for being	09:51:08 AM
16	an instructor for a computer installation repair	09:51:11 AM
17	technology computer systems networking and	09:51:15 AM
18	telecommunication microcomputer applications,	09:51:18 AM
19	Microsoft and Windows Excel.	09:51:20 AM
20	Q So how many -- according to you, how many	09:51:22 AM
21	agencies certified you as a teacher?	09:51:24 AM
22	A That was actually two, two agencies.	09:51:26 AM
23	Q Are they both called Bureau for Private	09:51:29 AM
24	Postsecondary and Vocational Education?	09:51:31 AM
25	A I don't know if Oregon went by that name	09:51:33 AM

Page 51

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY  
Jeffrey A. Hansen - 7/18/2016

1	specifically, but California did.	09:51:36 AM
2	Q Okay. So when your CV says certified by	09:51:37 AM
3	Bureau for Private Postsecondary and Vocational	09:51:40 AM
4	Education, that refers to California; is that right?	09:51:44 AM
5	A Yeah, that refers to California	09:51:54 AM
6	specifically.	09:51:55 AM
7	Q Okay. And the certification that you have	09:51:58 AM
8	for Oregon, you don't know who gave that to you; is	09:52:02 AM
9	that right?	09:52:08 AM
10	A It was through their state department as	09:52:08 AM
11	well -- their Consumer Affairs Department as well.	09:52:11 AM
12	Q Is that the name of it or you're just	09:52:15 AM
13	describing it?	09:52:17 AM
14	A I'm describing it.	09:52:17 AM
15	Q Okay. Did you produce those certifications	09:52:19 AM
16	on the disk?	09:52:23 AM
17	A No, not that one.	09:52:24 AM
18	Q Why not?	09:52:25 AM
19	A Because after 16 years I can't locate it.	09:52:26 AM
20	Q Did you --	09:52:29 AM
21	MR. LESTER: I'm sorry, when you say that	09:52:30 AM
22	one --	09:52:31 AM
23	THE WITNESS: The certification from the	09:52:32 AM
24	Department of Consumer Affairs for the Bureau of	09:52:35 AM
25	Private Postsecondary. I don't have that	09:52:39 AM

Page 52

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY  
Jeffrey A. Hansen - 7/18/2016

1	certification. I don't know where I -- I don't know	09:52:42 AM
2	where it is after 16 years. I can't find it.	09:52:45 AM
3	BY MR. GERSHMAN:	09:52:49 AM
4	Q So on the disk do you have either	09:52:49 AM
5	California or Oregon?	09:52:52 AM
6	A No.	09:52:54 AM
7	Q Did you call the Oregon agency?	09:52:56 AM
8	A No.	09:53:00 AM
9	Q Did you go onto the website to see if you	09:53:03 AM
10	could order another copy?	09:53:05 AM
11	A No. I wouldn't know what website to go to.	09:53:06 AM
12	Q Did you call the Bureau for Private	09:53:10 AM
13	Postsecondary and Vocational Education in	09:53:12 AM
14	California?	09:53:15 AM
15	A I don't know if they came -- if they came	09:53:15 AM
16	back. That department was done away with for a	09:53:17 AM
17	period of time.	09:53:24 AM
18	Q In fact, it is permanently defunct; right?	09:53:25 AM
19	A I don't know. I know at one time it was no	09:53:28 AM
20	more.	09:53:31 AM
21	Q I have asked that the next document be	09:53:54 AM
22	marked as Exhibit 31.	09:53:56 AM
23	(Exhibit 31 was marked for identification	09:53:59 AM
24	by the court reporter and is attached hereto.)	09:53:59 AM
25	BY MR. GERSHMAN:	09:53:59 AM

Page 53

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY  
Jeffrey A. Hansen - 7/18/2016

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY  
Jeffrey A. Hansen - 7/18/2016

1	Lateott, then HP.	11:05:02 AM
2	Q So then are you employed by those companies	11:05:05 AM
3	or are you an independent contractor for them?	11:05:07 AM
4	A So I'm employed by these companies.	11:05:10 AM
5	Q So no longer employed by Amsec or Lateott,	11:05:12 AM
6	but currently HP? Is that the order of it?	11:05:15 AM
7	A That's correct. And technically it's	11:05:19 AM
8	HP Enterprise Services. It is now a separate	11:05:20 AM
9	company from HP.	11:05:23 AM
10	Q And this job involves connecting machines	11:05:25 AM
11	to the Internet using fiber?	11:05:30 AM
12	A When the ships come in and out of the port,	11:05:34 AM
13	I provide them with fiber optic connectivity.	11:05:36 AM
14	Q How time consuming is that? Is it a	11:05:53 AM
15	full-time job?	11:05:58 AM
16	A It's a full-time job, but there's a lot of	11:06:00 AM
17	wait time. Naturally I have got to wait for the	11:06:02 AM
18	ship to pull in and more so.	11:06:05 AM
19	Q Do you clock in and out or do you just keep	11:06:08 AM
20	a time sheet?	11:06:11 AM
21	A We have just a time sheet that we keep.	11:06:12 AM
22	Q So how many hours a week on average?	11:06:15 AM
23	A Well, it's a 40-hour job.	11:06:16 AM
24	Q So what percentage of the 40 hours could	11:06:19 AM
25	you estimate is spent actually doing the work as	11:06:23 AM

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY  
Jeffrey A. Hansen - 7/18/2016

1	opposed to waiting for a ship?	11:06:27 AM
2	A      About 50 percent.	11:06:37 AM
3	Q      Half and half?	11:06:39 AM
4	A      Yes.	11:06:40 AM
5	Q      So where do you wait?	11:06:40 AM
6	A      Well, we wait in a van on the pier.	11:06:43 AM
7	Q      What do you do to pass the time?	11:06:49 AM
8	A      The deposition transcript I'll be reading	11:06:53 AM
9	while I'm sitting in the van on the pier waiting for	11:06:56 AM
10	the ship to moor.	11:06:59 AM
11	Q      Your expert job, that's what -- you do that	11:07:01 AM
12	in the van or --	11:07:04 AM
13	A      Well, yeah, because we're sitting there on	11:07:05 AM
14	the pier waiting for the ship to moor, because we	11:07:08 AM
15	can't go on board until it is actually moored, so	11:07:11 AM
16	I'll get some reading done in the meantime.	11:07:15 AM
17	Q      How many hours a week -- let me back up.	11:07:27 AM
18	You have a separate TCPA witness business?	11:07:32 AM
19	A      Yes.	11:07:36 AM
20	Q      And your e-mail address has a domain of	11:07:37 AM
21	TCPAwitness.com?	11:07:40 AM
22	A      Yes.	11:07:42 AM
23	Q      How long have you had that?	11:07:42 AM
24	A      That domain name?	11:07:44 AM
25	Q      Yes.	11:07:45 AM

Page 95

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GTL's Opp. to Martin's Mtn. for Class Cert., Ex. 2  
Consecutive Page No. 189

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY  
Jeffrey A. Hansen - 7/18/2016

1	A	Roughly about a year. I'm kind of guessing	11:07:50 AM
2		on that.	11:07:53 AM
3	Q	How long have you been doing your TCPA	11:07:53 AM
4		witness work?	11:07:56 AM
5	A	Ultimately since -- let me look on my --	11:07:58 AM
6		ultimately since 2007, October of 2007.	11:08:05 AM
7	Q	So how many hours a week do you devote to	11:08:10 AM
8		the TCPA witness work?	11:08:14 AM
9	A	Currently in the area of 60 or 70, roughly.	11:08:19 AM
10	Q	And does that overlap with the 40 hours	11:08:26 AM
11		with the ship work?	11:08:28 AM
12	A	Some of the stuff that while I'm at the	11:08:31 AM
13		base that I can do, for example, reading a	11:08:32 AM
14		transcript, that kind of stuff, I can do while I'm	11:08:36 AM
15		waiting on a ship. So that helps offset some of	11:08:40 AM
16		that a little bit.	11:08:45 AM
17	Q	Why do you have to wait on the dock? Why	11:08:46 AM
18		can't you just show up when the ship comes?	11:08:48 AM
19	A	Because they would be calling and	11:08:51 AM
20		complaining that nobody is there. They want	11:08:52 AM
21		Internet.	11:08:55 AM
22	Q	So do you basically just man the dock and	11:09:04 AM
23		then connect the ships that come in or do people	11:09:07 AM
24		tell you come and connect the ship because it is	11:09:10 AM
25		coming?	11:09:12 AM

Page 96

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY  
Jeffrey A. Hansen - 7/18/2016

1	A	No, I know when the ships are coming in.	11:09:13 AM
2		We have a schedule.	11:09:15 AM
3	Q	So when you add it all up, how many hours a	11:09:20 AM
4		week are you working?	11:09:24 AM
5	A	Lately for the past -- this past month has	11:09:28 AM
6		been crazy. I have been working 18- to 20-hour	11:09:40 AM
7		days.	11:09:44 AM
8	Q	So 18 to 20 hours?	11:09:46 AM
9	A	Yes. So I'm actually hoping that it slows	11:09:48 AM
10		down.	11:09:50 AM
11	Q	How long have you been doing 18- to 20-hour	11:09:55 AM
12		days?	11:09:58 AM
13	A	That's been going about three months now,	11:09:59 AM
14		two to three months.	11:10:01 AM
15	Q	Do you have any issues with your systems	11:10:07 AM
16		analyst job like being tired?	11:10:09 AM
17	A	No.	11:10:12 AM
18	Q	No issues?	11:10:13 AM
19	A	No.	11:10:14 AM
20	Q	The next entry on the CV is 2006 San Diego	11:10:17 AM
21		Regional Computer Forensics Lab. What do you mean	11:10:22 AM
22		when you say FBI sponsored?	11:10:27 AM
23	A	That is the FBI computer forensics computer	11:10:30 AM
24		lab.	11:10:35 AM
25	Q	Did you work there?	11:10:35 AM

Page 97

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY  
Jeffrey A. Hansen - 7/18/2016

1	A	I was a volunteer for almost a year.	11:10:36 AM
2	Q	Were you employed there?	11:10:41 AM
3	A	No.	11:10:42 AM
4	Q	Okay. So through what program did you	11:10:43 AM
5		volunteer? Did you just know someone and they said	11:10:46 AM
6		come on by?	11:10:49 AM
7	A	No. It was kind of unique. I already have	11:10:53 AM
8		a security clearance and so I went to them, I	11:10:56 AM
9		contacted them, and told them I would like to offer	11:11:03 AM
10		my services and help in any way that I can. And we	11:11:08 AM
11		kind of made an agreement that I'll get to learn	11:11:13 AM
12		their whole process and I'll offer -- in exchange	11:11:17 AM
13		I'll offer my services.	11:11:23 AM
14	Q	Who was that deal with?	11:11:26 AM
15	A	That would be with the director of the RCFL	11:11:28 AM
16		at the time.	11:11:31 AM
17	Q	What was that person's name?	11:11:32 AM
18	A	Randy Bolelli, I think. I am not going to	11:11:36 AM
19		try and spell his last name.	11:11:39 AM
20	Q	Did you already know that person, or did	11:11:49 AM
21		you cold call him?	11:11:50 AM
22	A	I cold called him.	11:11:50 AM
23	Q	And at the time you said you had a security	11:11:50 AM
24		clearance?	11:11:51 AM
25	A	Yes.	11:11:52 AM

Page 98

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY  
Jeffrey A. Hansen - 7/18/2016

1	Q	Do you still have that?	11:11:53 AM
2	A	Yes.	11:11:54 AM
3	Q	Is that by -- how do you get the security	11:11:55 AM
4		clearance if you were discharged? How does that	11:11:58 AM
5		work?	11:11:59 AM
6	A	Because I work for a government contractor.	11:12:00 AM
7	Q	So you maintain it through the contractor	11:12:02 AM
8		position?	11:12:04 AM
9	A	Yes.	11:12:04 AM
10	Q	Did you submit to a background check with	11:12:10 AM
11		the laboratory?	11:12:12 AM
12	A	I believe they did one independently as	11:12:14 AM
13		well.	11:12:17 AM
14	Q	Did they polygraph you?	11:12:17 AM
15	A	No.	11:12:20 AM
16	Q	Drug test?	11:12:21 AM
17	A	I don't think so.	11:12:25 AM
18	Q	Let me ask it this way.	11:12:30 AM
19		Did you provide them with any samples for a	11:12:31 AM
20		drug test?	11:12:33 AM
21	A	I don't think so.	11:12:35 AM
22	Q	And how long were you doing this volunteer	11:12:39 AM
23		job?	11:12:42 AM
24	A	I did it from -- it was either February or	11:12:44 AM
25		March of 2006 all the way through to at least	11:12:52 AM

Page 99

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY  
Jeffrey A. Hansen - 7/18/2016

1	October, maybe later.	11:13:00 AM
2	Q Did you sign any nondisclosures with them?	11:13:03 AM
3	A My nondisclosure would be my security	11:13:10 AM
4	clearance basically.	11:13:13 AM
5	Q Did you fill out any paperwork with them?	11:13:15 AM
6	A I didn't have to fill out paperwork for	11:13:17 AM
7	that.	11:13:18 AM
8	Q How do you show them a security clearance?	11:13:18 AM
9	Is there a badge?	11:13:21 AM
10	A No. The government, the federal	11:13:22 AM
11	government, has -- basically has me -- a file on me.	11:13:27 AM
12	Q Okay. Did you give them like a passport or	11:13:31 AM
13	a Social Security Card?	11:13:36 AM
14	A No. They did -- they do a complete	11:13:37 AM
15	background investigation for a security clearance	11:13:40 AM
16	plus they have to do continuing investigations to	11:13:43 AM
17	maintain it.	11:13:47 AM
18	Q I don't mean for you to -- that was an	11:13:47 AM
19	unclear question. I'm not asking how you got the	11:13:50 AM
20	security clearance, but how you got through the	11:13:54 AM
21	doors to volunteer, did you fill out any paperwork?	11:13:56 AM
22	Did you give them any documentation? Or did you	11:14:00 AM
23	just tell them your name and they just looked you	11:14:02 AM
24	up?	11:14:04 AM
25	A They just looked me up.	11:14:04 AM

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY  
Jeffrey A. Hansen - 7/18/2016

1	Q	And it says you built several forensic	11:14:07 AM
2		machines with large fiber channel RAID assemblies	11:14:09 AM
3		for use in the field.	11:14:13 AM
4	A	Yes.	11:14:14 AM
5	Q	For the layperson, that is you installed	11:14:15 AM
6		redundant media storage, hard drives, things of that	11:14:21 AM
7		nature?	11:14:26 AM
8	A	That would be just one small little aspect	11:14:26 AM
9		it.	11:14:28 AM
10	Q	The RAID?	11:14:29 AM
11	A	The RAID, yeah.	11:14:30 AM
12	Q	Let's see, installed and configured systems	11:14:34 AM
13		for mobile laboratory.	11:14:36 AM
14	A	Yes.	11:14:38 AM
15	Q	What's a mobile lab? Do you mean an FBI	11:14:38 AM
16		truck?	11:14:41 AM
17	A	Yes.	11:14:42 AM
18	Q	And you -- from what, from the shell of a	11:14:42 AM
19		truck you installed the whole system?	11:14:45 AM
20	A	No. All of the computer systems that were	11:14:47 AM
21		used for forensic exams.	11:14:50 AM
22	Q	Who do they normally use for this work?	11:14:53 AM
23	A	What's that?	11:14:55 AM
24	Q	Okay. So you were volunteering for less	11:14:56 AM
25		than -- for maybe six months.	11:14:59 AM

Page 101

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY  
Jeffrey A. Hansen - 7/18/2016

1	A	No, it was more than that. It was more	11:15:02 AM
2		like seven or eight -- seven, eight months, maybe	11:15:04 AM
3		nine months.	11:15:11 AM
4	Q	Seven, eight, nine months you're	11:15:12 AM
5		volunteering at the lab and they have you installing	11:15:14 AM
6		computer systems in their truck?	11:15:16 AM
7	A	Oh, yeah.	11:15:18 AM
8	Q	Who did they normally use when they're not	11:15:19 AM
9		so fortunate to have someone walk off the street and	11:15:21 AM
10		volunteer their time?	11:15:24 AM
11	A	They would have had one of their guys doing	11:15:25 AM
12		it.	11:15:27 AM
13	Q	Why did they agree to let you do it?	11:15:27 AM
14	A	Oh, well, I was offering -- the exchange	11:15:30 AM
15		was mutually beneficial for both of us. I was	11:15:33 AM
16		offering any services that I could offer and in	11:15:36 AM
17		exchange I was being utilized in every part of their	11:15:40 AM
18		process so that I could learn -- you know, because I	11:15:44 AM
19		told them -- I said I wanted to know -- and I think	11:15:48 AM
20		verbatim what I said was -- when he asked, well,	11:15:51 AM
21		what do you want in exchange, I said I want to know	11:15:53 AM
22		your process when the evidence walks in the door	11:15:56 AM
23		from the moment it walks in to the moment it leaves.	11:15:59 AM
24	Q	Did you handle evidence?	11:16:17 AM
25	A	In some aspects, yes.	11:16:21 AM

Page 102

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY  
Jeffrey A. Hansen - 7/18/2016

1	were left?	11:42:14 AM
2	A One of the things that we did is we set it	11:42:15 AM
3	up to where the recipient of a call can press a	11:42:17 AM
4	button to leave a message themselves.	11:42:23 AM
5	Q Are there any other call centers that you	11:42:28 AM
6	have set up besides Homeytel?	11:42:41 AM
7	A Well, Homeytel was pretty well a full-time	11:42:43 AM
8	thing with the changing it out as frequently as we	11:42:47 AM
9	did, because as the demand for more lines grew, the	11:42:50 AM
10	demand for other dialers and other types of phone	11:42:55 AM
11	lines changed.	11:42:57 AM
12	Other than that, I have advised some of his	11:43:02 AM
13	clients who are also -- who had call centers, I	11:43:06 AM
14	would give them advice and help and, you know, help	11:43:09 AM
15	them with little issues of theirs.	11:43:13 AM
16	Q But for which companies did you physically	11:43:17 AM
17	set up the call center?	11:43:19 AM
18	A It would be Homeytel's.	11:43:20 AM
19	Q That's the only one?	11:43:22 AM
20	A Yes.	11:43:23 AM
21	Q What were the other names of the other	11:43:24 AM
22	companies you mentioned?	11:43:27 AM
23	A I don't remember. Those were real quick	11:43:28 AM
24	and short and it was -- I don't remember the names.	11:43:33 AM
25	Q Have you operated any other dialers?	11:43:39 AM

Page 120

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY  
Jeffrey A. Hansen - 7/18/2016

1	A	Yes.	11:43:44 AM
2	Q	And which ones?	11:43:45 AM
3	A	My own.	11:43:47 AM
4	Q	You have your own?	11:43:48 AM
5	A	Yes.	11:43:49 AM
6	Q	How many?	11:43:50 AM
7	A	One. When I need one, I'll fire it up.	11:43:51 AM
8	Q	Where is it?	11:43:55 AM
9	A	It is at home.	11:43:56 AM
10	Q	That's where you work out of?	11:43:58 AM
11	A	Yes.	11:44:00 AM
12	Q	What do you use that for?	11:44:01 AM
13	A	I made some calls for friends of mine when	11:44:05 AM
14		they're running for political office.	11:44:10 AM
15	Q	Can we call them robocalls then?	11:44:13 AM
16	A	No. I still don't like the term, because	11:44:15 AM
17		it is only one small group of people that uses the	11:44:18 AM
18		term robocalls -- well, no, two.	11:44:20 AM
19	Q	I want to use the terms that you're	11:44:22 AM
20		comfortable with.	11:44:24 AM
21	A	Yeah, I just say prerecorded.	11:44:26 AM
22		So I have done some prerecorded messages	11:44:28 AM
23		with those. I've also done some predictive dial,	11:44:30 AM
24		but I don't like doing predictive dial in some	11:44:33 AM
25		reasons.	11:44:38 AM

Page 121

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY  
Jeffrey A. Hansen - 7/18/2016

1	A	Yes.	12:59:14 PM
2	Q	And any other employees?	12:59:15 PM
3	A	No. I have my wife helping with some of	12:59:17 PM
4		the administrative stuff.	12:59:20 PM
5	Q	She's not on the actual corporation	12:59:21 PM
6		payroll?	12:59:24 PM
7	A	No, she is. She's on the payroll.	12:59:26 PM
8	Q	Okay. So how many employees total?	12:59:27 PM
9	A	It would be me and her.	12:59:30 PM
10	Q	And you run that out of your house?	12:59:34 PM
11	A	Yes.	12:59:36 PM
12	Q	In Spring Valley?	12:59:41 PM
13	A	Yes.	12:59:43 PM
14	Q	The phone number you list on your CV, is	12:59:45 PM
15		that a landline or a cell phone? It is on the first	12:59:49 PM
16		page of your CV.	12:59:56 PM
17	A	It's a landline. That's voice over IP.	12:59:58 PM
18		That gets forwarded to my cell.	01:00:02 PM
19	Q	So in this case was Hansen Legal	01:00:07 PM
20		Technologies engaged?	01:00:12 PM
21	A	Yes.	01:00:14 PM
22	Q	And the work that you described in your	01:00:20 PM
23		report that you did on this case, where did you do	01:00:22 PM
24		that work?	01:00:25 PM
25	A	I did that from my house.	01:00:26 PM

Page 137

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GTL's Opp. to Martin's Mtn. for Class Cert., Ex. 2  
Consecutive Page No. 220

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY  
Jeffrey A. Hansen - 7/18/2016

1	Q	The home office?	01:00:28 PM
2	A	Yes.	01:00:29 PM
3	Q	Do you have a separate room in the house	01:00:30 PM
4		just for the home office?	01:00:32 PM
5	A	Yes.	01:00:34 PM
6	Q	Is it single-family?	01:00:36 PM
7	A	Yes.	01:00:38 PM
8	Q	And on what system do you do that? Do you	01:00:39 PM
9		have a desktop computer, a laptop or both?	01:00:45 PM
10	A	I have multiple machines. This particular	01:00:48 PM
11		case was done on a laptop.	01:00:51 PM
12	Q	Do you know what kind?	01:00:54 PM
13	A	It is an Asus.	01:01:01 PM
14	Q	How many other machines at your home office	01:01:04 PM
15		do you use for your TCPA witness job?	01:01:06 PM
16	A	I use a total of five for different things.	01:01:16 PM
17	Q	And on your Asus machine that's used in	01:01:22 PM
18		this case, what's the operating system?	01:01:25 PM
19	A	Linux Mint 17.2.	01:01:30 PM
20	Q	Does it have a built-in hard drive?	01:01:33 PM
21	A	This one it's a removable hard drive.	01:01:39 PM
22	Q	Is that where you --	01:01:42 PM
23	A	Maybe I'm not being clear.	01:01:45 PM
24	Q	Okay.	01:01:46 PM
25	A	As compared to that machine there which has	01:01:47 PM

Page 138

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GTL's Opp. to Martin's Mtn. for Class Cert., Ex. 2  
Consecutive Page No. 221

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY  
Jeffrey A. Hansen - 7/18/2016

1	Q	How do you find time to work on all of the	01:36:09 PM
2		different reports?	01:36:11 PM
3	A	That's why I work at home. I can work	01:36:12 PM
4		through the night.	01:36:15 PM
5	Q	Or in the van?	01:36:16 PM
6	A	Yeah.	01:36:17 PM
7	Q	You mentioned the Strauss case earlier,	01:36:34 PM
8		were you engaged as an expert in that case?	01:36:38 PM
9	A	Yes.	01:36:40 PM
10	Q	Did you give a report?	01:36:41 PM
11	A	Yes.	01:36:42 PM
12	Q	Did you testify?	01:36:44 PM
13	A	No.	01:36:46 PM
14	Q	You were hired by the plaintiffs' counsel	01:36:50 PM
15		in that case?	01:36:51 PM
16	A	Yes.	01:36:52 PM
17	Q	Would you say in the last 12 months you	01:37:04 PM
18		have probably done maybe a hundred TCPA punitive	01:37:06 PM
19		class action lawsuits?	01:37:13 PM
20		MR. LESTER: Objection as to form. When	01:37:20 PM
21		you say done class action lawsuits, the term done is	01:37:26 PM
22		vague.	01:37:29 PM
23		MR. GERSHMAN: I'll rephrase.	01:37:31 PM
24		MR. LESTER: Okay.	01:37:31 PM
25		BY MR. GERSHMAN:	01:37:32 PM

Page 165

# EXHIBIT 6

PROPOSED TO BE FILED UNDER SEAL PURSUANT  
TO CONFIDENTIALITY PROTECTIVE ORDER (DKT. 31)  
AND SUPPLEMENTAL PROTECTIVE ORDER TO GOVERN  
THE PRODUCTION/INSPECTION OF SOURCE CODE (DKT. 75)

# EXHIBIT 7

PROPOSED TO BE FILED UNDER SEAL PURSUANT  
TO CONFIDENTIALITY PROTECTIVE ORDER (DKT. 31)  
AND SUPPLEMENTAL PROTECTIVE ORDER TO GOVERN  
THE PRODUCTION/INSPECTION OF SOURCE CODE (DKT. 75)

**CERTIFICATE OF SERVICE**

I hereby certify that on the 14th day of October, 2016, I caused to be served copies of the foregoing documents, via ECF on the following:

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\_\_\_\_\_  
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